

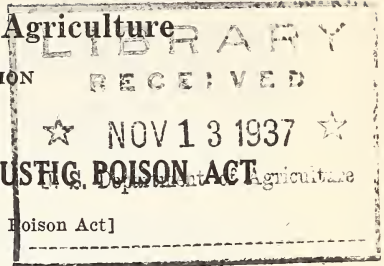
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# United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION



## NOTICES OF JUDGMENT UNDER THE CAUSTIC POISON ACT

[Given pursuant to section 9 of the Caustic Poison Act]

59-81

[Approved by the Secretary of Agriculture, Washington, D. C., September 7, 1937]

**59. Misbranding of packages of Togstad's Dip and Disinfectant. U. S. v. Mrs. Vera P. Togstad (The C. I. Togstad Co.). Plea of guilty. Fine, \$10. (C. P. A. no. 65. Sample no. 62308-B.)**

This product contained carbolic acid, a dangerous caustic or corrosive substance, in a concentration of 5 percent or more and was not labeled in the manner that the law requires such products be labeled.

On December 2, 1936, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Mrs. Vera P. Togstad, trading as the C. I. Togstad Co., Kokomo, Ind., alleging shipment by said defendant on or about February 14, 1936, from the State of Indiana into the State of Texas of a quantity of Togstad's Dip and Disinfectant that contained carbolic acid in a concentration of 5 percent or more and which was a dangerous caustic or corrosive substance in packages suitable for household use within the meaning of the Federal Caustic Poison Act.

The article was alleged to be misbranded in that the label affixed to the packages did not bear the common name of the dangerous caustic or corrosive substance contained in it, namely, carbolic acid; the label did not bear the word "poison", nor did it bear any directions for treatment in case of accidental personal injury.

The information charged that the article was misbranded further in violation of the Food and Drugs Act and the Insecticide Act of 1910, reported in notice of judgment no. 27228, published under the former act, and notice of judgment no. 1536, published under the latter act.

On January 9, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10 on all charges.

H. A. WALLACE, *Secretary of Agriculture.*

**60. Misbranding of packages of Snipes' Japicura Skin Remedy. U. S. v. 63 Bottles of Snipes' Japicura Skin Remedy. Judgment of condemnation and destruction. (C. P. A. no. 89. Sample no. 21779-C.)**

This product was a dangerous caustic or corrosive substance since it contained carbolic acid (phenol) in a concentration of 5 percent or more, and the label did not bear the word "poison" nor directions for treatment in case of accidental personal injury, as required by law.

On April 3, 1937, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 63 bottles of Snipes' Japicura Skin Remedy at Shreveport, La., alleging that it had been shipped in interstate commerce on or about January 6, 1937, by the Snipes Medicine Co. from Little Rock, Ark., and charging misbranding in violation of the Federal Caustic Poison Act.

The article was alleged to be misbranded in that it contained carbolic acid in a concentration of more than 5 percent, namely, not less than 17 percent, and was a dangerous caustic or corrosive substance in packages suitable for

household use, and the label did not bear the word "poison" nor did it bear or contain directions for treatment in case of accidental personal injury. The libel further charged that the article was adulterated and misbranded in violation of the Food and Drugs Act, reported in notices of judgment published under that act.

On June 21, 1937, the court finding that the allegations of the libel were true and in accordance with the verdict of a jury, judgment of condemnation was entered and it was ordered that the product be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

**61. Misbranding of hydrochloric acid. U. S. v. United Hardware Corporation. Plea of guilty. Fine, \$25. (C. P. A. no. 70. Sample no. 74723-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substance.

On May 5, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the United Hardware Corporation, trading at Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 27, 1936, of a quantity of hydrochloric acid that was misbranded in violation of the Federal Caustic Poison Act. The product was contained in an old beverage bottle bearing no label other than that indicating its original contents.

The information alleged that the article consisted of hydrochloric acid in a concentration of 10 percent or more; that it was a dangerous caustic or corrosive substance in a package suitable for household use and was misbranded in that the package did not bear on its label the common name of said dangerous caustic or corrosive substance, namely, muriatic acid; the label did not bear the word "poison"; it did not bear any directions for treatment in case of accidental personal injury and it did not bear the name and the place of business of the manufacturer, packer, seller, or distributor of the article.

On May 5, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25.

H. A. WALLACE, *Secretary of Agriculture.*

**62. Misbranding of nitric acid. U. S. v. Benjamin Jeweler (Jeweler's Glass & Hardware Co.). Plea of guilty. Fine, \$25. (C. P. A. no. 71. Sample no. 74717-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On June 3, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Benjamin Jeweler, trading as the Jeweler's Glass & Hardware Co., Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a substance alleged to be muriatic acid, but which was in fact nitric acid and which was misbranded in violation of the Federal Caustic Poison Act. It was contained in an old beverage bottle bearing no label other than that indicating its original contents.

The information alleged that the article contained nitric acid in a concentration of 5 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the common name of said dangerous caustic or corrosive substance, namely, nitric acid, the word "poison", directions for treatment in case of accidental personal injury, nor the name and place of business of the manufacturer, packer, seller, or distributor.

On June 3, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$25.

H. A. WALLACE, *Secretary of Agriculture.*

**63. Misbranding of hydrochloric acid. U. S. v. Domenico Del Vecchio (Peoples Hardware Stores No. 4). Tried to the court. Judgment of guilty. Fine, \$25. (C. P. A. no. 72. Sample no. 74773-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.



On April 23, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Domenico Del Vecchio, trading as Peoples Hardware Stores No. 4, Washington, D. C., and charging sale by said defendant in the District of Columbia on or about June 27, 1936, of a quantity of hydrochloric acid which was misbranded in violation of the Federal Caustic Poison Act. The product was contained in an old beverage bottle bearing no label other than that indicating its original contents.

The information alleged that the article consisted of hydrochloric acid in a concentration of 10 percent or more, that it was a dangerous caustic or corrosive substance in a package suitable for household use, and that it was misbranded in that the package did not bear a statement giving the common name of said substance, namely, muriatic acid; the label did not bear the word "poison"; it did not bear directions for treatment in case of accidental personal injury; and it did not bear the name and the place of business of the manufacturer, packer, seller, or distributor of the article.

On April 23, 1937, the defendant having entered a plea of not guilty, the case was tried to the court and judgment of guilty was returned and a fine of \$25 was imposed.

H. A. WALLACE, *Secretary of Agriculture.*

**64. Misbranding of carbolic acid. U. S. v. Tower Pharmacy, Inc. Plea of guilty. Fine, \$10.** (C. P. A. no. 73. Sample no. 74767-B.)

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On May 5, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Tower Pharmacy, Inc., trading at Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of carbolic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Poison Carbolic Acid Tower Pharmacy."

The information alleged that the article consisted of carbolic acid in a concentration of 5 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear directions for treatment in case of accidental personal injury.

The information alleged that it also was adulterated in violation of the Food and Drugs Act and was adulterated and misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment no. 27254 published under the former act and notice of judgment no. 1555 published under the latter act.

On May 5, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10, which covered all charges.

H. A. WALLACE, *Secretary of Agriculture.*

**65. Misbranding of oxalic acid. U. S. v. Park Lane Pharmacy, Inc. Plea of guilty. Fine, \$10.** (C. P. A. 74. Sample no. 74768-B.)

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On April 7, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Park Lane Pharmacy, Inc., trading at Washington, D. C., charging sale by said company in the District of Columbia on or about June 26, 1936, of a quantity of oxalic acid that was misbranded in violation of the Federal Caustic Poison Act. The article was labeled in part: "Poison \* \* \* Oxalic Acid Park Lane Pharmacy."

The information alleged that it contained oxalic acid in a concentration of 10 percent or more and was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear directions for treatment in case of accidental personal injury.

On April 7, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**66. Misbranding of acetic acid. U. S. v. T. A. T. Judd, Inc. (Judd's Pharmacy). Plea of guilty. Fine, \$10. (C. P. A. no. 75. Sample no. 74753-B.)**

This product was a dangerous caustic or corrosive substance; and its label did not bear the word "poison", nor directions for treatment in case of accidental personal injury, as required by law.

On May 20, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against T. A. T. Judd, Inc., trading as Judd's Pharmacy, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 25, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Acetic Acid Judd's Pharmacy."

The information alleged that the article contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison", and did not bear directions for treatment in case of accidental personal injury.

On May 20, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**67. Misbranding of acetic acid. U. S. v. Samuel L. Hilton (Hilton's Professional Pharmacy). Plea of guilty. Fine, \$10. (C. P. A. no. 76. Sample no. 74764-B.)**

This product was a dangerous caustic or corrosive substance, and its label did not bear the word "poison" nor directions for treatment in case of accidental personal injury, as required by law.

On April 22, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Samuel L. Hilton, trading as Hilton's Professional Pharmacy, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. The article was labeled in part: "Glacial Acetic Acid Hilton's Professional Pharmacy Samuel L. Hilton, Proprietor."

The information alleged that it contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" nor directions for treatment in case of accidental personal injury.

On April 22, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**68. Misbranding of acetic acid. U. S. v. Schwartz Pharmacy, Inc. Plea of guilty. Fine, \$10. (C. P. A. no. 77. Sample no. 70265-B.)**

This product was a dangerous caustic or corrosive substance, and its label did not bear the word "poison" nor directions for treatment in case of accidental personal injury, as required by law.

On April 23, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Schwartz Pharmacy, Inc., Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 25, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Schwartz Pharmacy \* \* \* Glacial Acetic Acid."

The information alleged that the article contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" nor directions for treatment in case of accidental personal injury.

On April 23, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**69. Misbranding of oxalic acid. U. S. v. Riverside Pharmacy, Inc. Plea of guilty. Fine, \$10.** (C. P. A. no. 78. Sample no. 74763-B.)

This product was a dangerous caustic or corrosive substance, and its label did not bear the word "poison" nor directions for treatment in case of accidental personal injury, as required by law.

On May 4, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Riverside Pharmacy, Inc., Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of oxalic acid that was misbranded in violation of the Federal Caustic Poison Act. The article was labeled in part: "Oxalic Acid Riverside Pharmacy."

The information alleged that it contained oxalic acid in a concentration of 10 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" nor directions for treatment in case of accidental personal injury.

On May 4, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**70. Misbranding of acetic acid. U. S. v. Dr. Edward Wainger (Executive Pharmacy). Plea of guilty. Fine, \$10.** (C. P. A. no. 79. Sample no. 74765-B.)

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On April 23, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Dr. Edward Wainger, trading as the Executive Pharmacy, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. The article was unlabeled except for the design of a skull and crossbones.

The information alleged that it contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that its label did not bear the common name of the article, namely, acetic acid; the word "poison"; directions for treatment in case of accidental personal injury; nor the name and the place of business of the manufacturer, packer, seller, or distributor.

On April 23, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**71. Misbranding of acetic acid. U. S. v. Solomon S. Seigle. Plea of guilty. Fine, \$10.** (C. P. A. no. 80. Sample no. 74754-B.)

This product was a dangerous caustic or corrosive substance, and its label did not bear the word "poison" nor directions for treatment in case of accidental personal injury, as required by law.

On April 22, 1937, the United States attorney, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Solomon S. Seigle, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "S. S. Seigle \* \* \* Acetic Acid."

The information alleged that the article contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" nor directions for treatment in case of accidental personal injury.

On April 22, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*



**72. Misbranding of acetic acid. U. S. v. Nichols' Pharmacy, Inc. Plea of guilty. Fine, \$10.** (C. P. A. no. 81. Sample no. 74766-B.)

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the law prescribing the labeling of such substances.

On April 7, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Nichols' Pharmacy, Inc., trading at Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Acetic Acid 36% [skull and crossbones] Poison Nichols' Pharmacy."

The information alleged that the article contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" as required by said act since the letters of the word "poison" were not of gothic type, they were less than 24-point size and were smaller than the largest letter on the label; and the label did not bear or contain directions for treatment in case of accidental personal injury.

On April 7, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**73. Misbranding of acetic acid. U. S. v. Samuel J. Hohberger. Plea of guilty. Fine, \$10.** (C. P. A. no. 82. Sample no. 74711-B.)

This product was a dangerous caustic or corrosive substance, and its label failed to bear directions for treatment in case of accidental personal injury, as required by law.

On April 22, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Samuel J. Hohberger, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of acetic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Poison Glac. Acetic Acid S. J. Hohberger."

The information alleged that the article contained acetic acid in a concentration of 20 percent or more; was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear directions for treatment in case of accidental personal injury.

On April 22, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*

**74. Misbranding of acetic acid and oxalic acid. U. S. v. Whelan Drug Co., Inc. Plea of guilty. Fine, \$10.** (C. P. A. no. 83. Sample nos. 70264-B, 70266-B.)

These products were dangerous caustic or corrosive substances and were not labeled in compliance with the law prescribing the labeling of such substances.

On April 7, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Whelan Drug Co., Inc., trading at Washington, D. C., charging sale by said company in the District of Columbia on or about June 25, 1936, of quantities of acetic acid and oxalic acid that were misbranded in violation of the Federal Caustic Poison Act. The articles were labeled in part, respectively: "Acetic Acid [or "Oxalic Acid"] Poison."

The information alleged that the acetic acid was in a concentration of 20 percent or more and that the oxalic acid was in a concentration of 10 percent or more; and that both articles were dangerous caustic or corrosive substances in packages suitable for household use and were misbranded in that the labels did not bear the word "poison" as required by said act of Congress, since the letters on the label of the acetic acid were of a size and style other than that required by the law, those on the label of the oxalic acid were not of the size required by law; and the labels of neither product bore directions for treatment in case of accidental personal injury.

On April 7, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10.

H. A. WALLACE, *Secretary of Agriculture.*



**75. Misbranding of carbolic acid. U. S. v. Samuel Goldstein (Taylor's Pharmacy). Plea of guilty. Fine, \$10. (C. P. A. no. 84. Sample no. 74805-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the law prescribing the labeling of such substances.

On April 24, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Samuel Goldstein, trading as Taylor's Pharmacy, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 25, 1936, of a quantity of carbolic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Carbolic Acid Poison Taylor's Pharmacy."

The information alleged that the article contained carbolic acid in a concentration of 5 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that its label did not bear the word "poison" as required by the act of Congress, since the letters of said word were of a size and style differing from that required by said act; and in that the label did not bear directions for treatment in case of accidental personal injury.

The information charged that the article was also adulterated in violation of the Food and Drugs Act and adulterated and misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment no. 27251 published under the former act and notice of judgment no. 1552 published under the latter act.

On April 24, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10, which covered all charges.

H. A. WALLACE, *Secretary of Agriculture.*

**76. Misbranding of carbolic acid. U. S. v. Walter N. Bradshaw (The Mayflower Pharmacy). Plea of guilty. Fine, \$10. (C. P. A. no. 85. Sample no. 74762-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the law prescribing the labeling of such substances.

On April 7, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Walter N. Bradshaw, trading as the Mayflower Pharmacy, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 26, 1936, of a quantity of carbolic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Poison Carbolic Acid \* \* \* The Mayflower Pharmacy."

The information alleged that the article contained carbolic acid in a concentration of 5 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" as required by said act and the regulations prescribed thereunder, since the letters of said word were not in uncondensed gothic capital letters of 24-point face size or larger, nor were the letters in said word as large as the largest letter on the label; and in that the label did not bear adequate directions for treatment in case of accidental personal injury, since the directions borne on the label contained no provision for external injury.

The information charged that the article was also adulterated and misbranded under the Insecticide Act of 1910, and adulterated under the Food and Drugs Act, reported in notice of judgment no. 27252 published under the former act and notice of judgment no. 1553 published under the latter act.

On April 7, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10, which covered all charges.

H. A. WALLACE, *Secretary of Agriculture.*

**77. Misbranding of carbolic acid. U. S. v. Morris Citrenbaum (Park View Pharmacy). Plea of guilty. Fine, \$10. (C. P. A. no. 86. Sample no. 74724-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substance.

On April 7, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court

an information against Morris Citrenbaum, trading as the Park View Pharmacy, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 27, 1936, of a quantity of carbolic acid that was misbranded in violation of the Federal Caustic Poison Act. It was labeled in part: "Carbolic Acid Poison \* \* \* Park View Pharmacy."

The information alleged that the article contained carbolic acid in a concentration of 5 percent or more, was a dangerous caustic or corrosive substance in a package suitable for household use, and was misbranded in that the label did not bear the word "poison" as required by law and the rules and regulations prescribed thereunder since the letters of the word "poison" were of a size and style other than that required by said law and regulations; and in that the label did not bear adequate and complete directions for treatment in case of accidental personal injury.

The information charged that the article also was adulterated in violation of the Food and Drugs Act and misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment no. 27253 published under the former act, and notice of judgment no. 1554 published under the latter act.

On April 7, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10, covering all charges.

H. A. WALLACE, *Secretary of Agriculture.*

**78. Misbranding of hydrochloric acid. U. S. v. Harry Wolf. Tried to the court. Judgment of guilty. Fine, \$25. (C. P. A. no. 68. Sample no. 74811-B.)**

This product was a dangerous caustic or corrosive substance and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On April 7, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harry Wolf, Washington, D. C., charging sale by said defendant in the District of Columbia on or about June 29, 1936, of a quantity of hydrochloric acid which was misbranded in violation of the Federal Caustic Poison Act. The product was contained in an old beverage bottle bearing no label other than that indicating its original contents.

The information alleged that the article consisted of hydrochloric acid in a concentration of 10 percent or more, that it was a dangerous caustic or corrosive substance in a package suitable for household use, and that it was misbranded in that the package did not bear on its label the common name of said dangerous caustic or corrosive substance, namely, muriatic acid; the word "poison"; any directions for treatment in case of accidental personal injury; nor the name and the place of business of the manufacturer, packer, seller, or distributor of the article.

On April 7, 1937, the defendant having entered a plea of not guilty, the case came on for trial before the court. After the submission of evidence on behalf of the defendant and the Government, the court entered judgment of guilty and imposed a fine of \$25.

H. A. WALLACE, *Secretary of Agriculture.*

**79. Misbranding of packages of Pedic. U. S. v. Cenol Co. Plea of guilty. Fine, \$25. (C. P. A. no. 87. Sample no. 6001-C.)**

This product contained carbolic acid in a concentration of 5 percent or more and was not labeled in compliance with the requirements of the law relating to the labeling of a product containing a dangerous caustic or corrosive substance.

On March 17, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Cenol Co., a corporation, Chicago, Ill., alleging shipment by said company in violation of the Federal Caustic Poison Act on or about May 11, 1935, from the State of Illinois into the State of Michigan of a quantity of Pedic that was misbranded in violation of the Federal Caustic Poison Act.

The information alleged that the article contained carbolic acid in a concentration of 5 percent or more, was a dangerous caustic or corrosive substance in packages suitable for household use, and that the packages were misbranded in that the label did not bear the common name of said dangerous caustic or corrosive substance, namely, carbolic acid, it did not bear the word "poison", nor did it bear directions for treatment in case of accidental personal injury.

On April 13, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25.

H. A. WALLACE, *Secretary of Agriculture.*

**80. Misbranding of Williams Turkey Tonic. U. S. v. 30 Pint Bottles and 5 Quart Bottles of Williams Turkey Tonic. Default decree of condemnation and destruction.** (C. P. A. no. 91. Sample no. 29831-C.)

This product was a dangerous caustic or corrosive substance in packages suitable for household use and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances, since the word "poison" was not in the style or size of type required by law, and the antidote statement was incomplete.

On May 5, 1937, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 pint bottles and 5 quart bottles of Williams Turkey Tonic at Pittsburgh, Pa., alleging that it had been shipped in interstate commerce by the Williams Turkey Tonic Co. from Monticello, Ill., on or about February 15, 1937, and charging misbranding in violation of the Federal Caustic Poison Act.

The libel alleged that the article was in packages suitable for household use and contained hydrochloric acid in a concentration of 10 percent or more, and was misbranded in that the label did not bear the word "poison" in size and style of letters as required by law, nor adequate and complete directions for treatment in case of accidental personal injury.

The libel charged that the article also was misbranded in violation of the Food and Drugs Act, reported in notice of judgment no. 27257 published under that act.

On June 11, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

**81. Misbranding of Skasol Drain Pipe Solvent. U. S. v. 144 Cans of Skasol Drain Pipe Solvent. Default decree of condemnation and destruction.** (C. P. A. no. 88. Sample no. 29495-C.)

This product was a dangerous caustic or corrosive substance, and the word "poison" appearing on the label was not of the style and size required by law.

On March 2, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 144 cans of Skasol Drain Pipe Solvent at Seattle, Wash., alleging that it had been shipped in interstate commerce on or about January 13, 1937, by the Allied Engineering Products Co., from San Francisco, Calif., and charging that it was misbranded in violation of the Federal Caustic Poison Act.

The article was alleged to be misbranded in that it consisted of sodium hydroxide in a concentration greater than 10 percent (96.36 percent); and in that the word "poison" on the label was not in uncondensed gothic capital letters, and the letters composing the word "poison" were smaller than 24-point size and were smaller than the largest type appearing on the labels.

On June 14, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*



# INDEX TO NOTICES OF JUDGMENT 59-81

	N. J. no.		N. J. no.
Acetic acid:		Hydrochloric acid:	
Executive Pharmacy-----	70	Del Vecchio, Domenico-----	63
Hilton, Samuel-----	67	Peoples Hardware Store No. 4--	63
Hilton's Professional Pharmacy--	67	United Hardware Corporation--	61
Hohberger, S. J.-----	73	Wolf, Harry-----	78
Judd, T. A. T., Inc-----	66	Nitric acid:	
Judd's Pharmacy-----	66	Jeweler, Benjamin-----	62
Nichols' Pharmacy, Inc-----	72	Jeweler's Glass & Hardware Co--	62
Schwartz Pharmacy, Inc-----	68	Oxalic acid:	
Seigle, S. S.-----	71	Park Lane Pharmacy, Inc-----	65
Wainger, Dr. Edward-----	70	Riverside Pharmacy, Inc-----	69
Whelan Drug Co., Inc-----	74	Whelan Drug Co., Inc-----	74
Carbolic acid:		Pedic:	
Bradshaw, W. N.-----	76	Cenol Co-----	79
Citrenbaum, Morris-----	77	Skasol Drain Pipe Solvent:	
Goldstein, Samuel-----	75	Allied Engineering Products Co--	81
Mayflower Pharmacy-----	76	Snipes' Japicura Skin Remedy:	
Park View Pharmacy-----	77	Snipes Medicine Co-----	60
Taylor's Pharmacy-----	75	Togstad's Dip and Disinfectant:	
Tower Pharmacy, Inc-----	64	Togstad, C. I., Co-----	59
		Togstad, V. P.-----	59
		Williams Turkey Tonic:	
		Williams Turkey Tonic Co-----	80

